ORDINANCE NO. 984

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
ADDING CHAPTER 7.14 TO TITLE 7 OF THE MUNICIPAL CODE:
PROHIBITION ON THE USE OF POLYSTYRENE BASED DISPOSABLE
FOOD SERVICE WARE BY FOOD VENDORS

WHEREAS, the City of Menlo Park, ("City") wishes to adopt a prohibition on the use of polystyrene based disposable food service ware by food vendors; and

WHEREAS, the City of Menlo Park wishes to adopt by reference San Mateo County's Ordinance for the prohibition.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENLO PARK DOES ORDAIN
AS FOLLOWS:

SECTION 1: FINDINGS AND DETERMINATIONS. The following conditions justify adding a section to Chapter 7 of the Municipal Code:

a. The City of Menlo Park wishes to adopt by reference San Mateo County's ordinance prohibiting food vendors from using polystyrene based disposable food service ware in accordance; and

b. The City Council finds that polystyrene is a petroleum-based, lightweight plastic material commonly used as food service ware by retail food vendors operating in the City of Menlo Park. Polystyrene, often referred to by the trademark Styrofoam, has also become a problematic environmental pollutant given its non-biodegradable, non-recyclable and nearly non-reusable nature; and

c. The City Council finds that polystyrene-based, single-use food service ware consistently constitutes a substantial portion of the trash and litter found on the streets, streams, creeks and storm drains within the City of Menlo Park, which increases clean up costs; and

d. The City Council finds that effective ways to reduce the negative environmental impacts of disposable food service ware include using biodegradable or compostable materials made from renewable resources such as paper, cardboard, corn starch, potato starch, and/or sugarcane; and

e. The City Council finds that adopting such an ordinance will assist in complying with Municipal Stormwater (NPDES) permit requirements that are regulated and enforced by the San Francisco Bay Regional Water Board; and

f. The City Council does, accordingly, find and declare that it should restrict the use of polystyrene-based food service ware.
posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of it, shall be posted on November 1, 2012, within fifteen (15) days of its adoption. This ordinance shall take effect and be in force on November 1, 2012, within fifteen (15) days of its adoption. This ordinance shall take effect and be in force on November 1, 2012, within fifteen (15) days of its adoption.

SECTION 2: EFFECTIVE DATE AND PUBLICATION.

15988 [Exceptions for actions to protect the environment, pursuant to section 15927 except for actions to protect natural resources, and for exceptions for actions to protect health, safety, and welfare, pursuant to section 15928(a)(2)] (For clarity, amounts have been removed from this section.) For the purposes of this Act, the ordinance is not subject to CEQA because it is not a project, which would require a direct physical change or a reasonably foreseeable physical change on the environment caused by public or private action. This ordinance is for any reason held to be invalid, such decision shall not affect the validity of any provisions of this ordinance.

SECTION 3: SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of any provisions of this ordinance.


For use and examination by the public, the City Council hereby adopts the following sections of Chapter 4.10 of Title 4, San Mateo County Code, entitled "Enforcement of the San Mateo County Ordinance Code," and the following sections of Chapter 4.10 of Title 4, San Mateo County Code, entitled "Phases of this Act." The City Council hereby adopts the ordinance as it relates to the enforcement of the San Mateo County Ordinance Code and the San Mateo County Code.


The County of San Mateo, its officers, employees, and agents are hereby authorized to enforce the provisions of this Act.

Chapter 7.14.

DISPOSABLE FOOD SERVICE WARE BY FOOD VENDORS

PROHIBITION ON THE USE OF POLYSTYRENE-BASED DISPOSABLE FOOD SERVICE WARE BY FOOD VENDORS

Chapter 7.14.

SECTION 1. AMENDMENT OF CODE. Sections 7.14.010 and 7.14.020 of the San Mateo County Code are hereby amended as follows:


passed AND ADOPTED as an ordinance of the City of Medio Park at a regular meeting of
said Council on the twenty-eighth day of August, 2012. By the following votes:

INTRODUCED on the thirty-first day of July, 2012.

Publish official notices for the City of Medio Park prior to the effective date.

of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to